

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)
For Design, Provisional, or Utility Applications

PATENT
APPLICATION

COMPLETION Under
Rule 53(f)

In re PATENT APPLICATION of

Inventor(s): Burnie et al.

Attn: Application Division

Appln. No.:	10/	054,968	Atty.Dkt.	P	0290403	45628
	Series Code ↑	Serial No. ↑			M#	Client Ref

Filed: January 25, 2002

Title: Treatment and Diagnosis of Infections of Gram Positive Cocci

05/30/2002 RNEBRAHT 00000040 033975 10054968

01 FC:115 110.00 CH

Hon. Commisioner of Patents
Washington,DC 20231

Date: May 28, 2002

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☐ Signed Declaration attached. ☐ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
 - b. # pages of Specification(only spec. & claims)
 - c. ☐ Drawing(s) No of Sheets
 - ☐ Fig(s).
4. ☐ Letter filing formal drawing attached.
5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in

8.

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

9. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☒ Attached: Request to Enter Sequence Listing from Parent Application
Substitute Drawings (3 sheets)
12. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

		Large/Small Entity		Fee Code
13. Basic Filing Fee Design Application		\$330/\$165		106/26
. Not Design Application		\$740/\$370	+0	101/201
14. Total Effective Claims	minus 20 =	x \$18/\$9	+0	103/203
15. Independent Claims	minus 3 =	x \$84/\$42	+0	102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)		\$280/\$140	+0	104/204
17. Surcharge for filing Declaration/filing fee late		\$130/\$65	+0	105/205
18. FILING FEE =		\$0		
19. Original due date: April 25, 2002				
20. Petition is hereby made to extend the original due date to		(1 mo) \$110/\$55 =	+110	115/215
cover the date this response is filed for which the requisite fee		(2mos) \$400/\$200 =		116/216
is attached		(3mos) \$920/\$460 =		117/217
		(4mos) \$1,440/\$720 =		118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee		\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee.		\$40	+0	581
23. Petition Fee for		\$130	+0	
24. TOTAL FEE =		\$110		

PLEASE CHARGE DEPOSIT ACCOUNT

Deposit Account No. 03-3975

Our Order No. 050885

C#

0290403

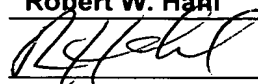
M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Robert W. Hahl

Sig:



Reg. N . 33,893

Fax: (703) 905-2500
Tel: (703) 905-2251

1600 Tysons Boulevard
McLean, VA 22102
Tel: (703) 905-2000

Atty/Sec: RWH/kmh

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

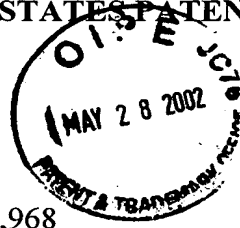
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Burnie et al.

Application Serial No. 10/054,968

Filed: January 25, 2002

Title: *TREATMENT AND DIAGNOSIS OF INFECTIONS OF GRAM POSITIVE COCCI*

Group Art Unit: unassigned

Examiner: unassigned

* * * * *

SUBMISSION OF SUBSTITUTE DRAWINGSHon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Corrected Application Papers dated February 25, 2002, Applicants attach a substitute set of drawings figures (Figs. 1-3) for the above-identified application. Entry in the record is respectfully requested.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

Robert W. Hahl
Registration No. 33,893
Direct No. (703) 905-2251

1600 Tysons Boulevard
McLean, Virginia 22102
(703) 905-2000 Telephone
(703) 905-2500 Facsimile

Date: May 28, 2002
Attorney Reference: 050885/0290403



#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

James Peter Burnie et al.

Group Art Unit: unassigned

Application No. 10/054,968

Examiner: unassigned

Filed: January 25, 2002

Title: *TREATMENT AND DIAGNOSIS OF INFECTIONS OF GRAM POSITIVE COCCI*

* * * * *

**REQUEST FOR SEQUENCE LISTING IN PARENT APPLICATION TO BE
ENTERED INTO PRESENT APPLICATION**

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Corrected Application Papers dated February 25, 2002, and in compliance with 37 C.F.R. §1.823(a), it is requested that the attached Statement to Support Filing of Sequence Listing with a paper copy of the sequence listing, as filed, be entered into the above application. Applicants further request that the computer readable form in the parent application, i.e., U.S. Serial No. 00/672,494 be transferred to this application.

If the Office has any questions pertaining to this submission, it is requested that the undersigned be contacted so that prosecution of this application may be expedited.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

Robert W. Hahl

Registration No. 33,893

1600 Tysons Boulevard
McLean, VA 22102
(703) 905-2000
(703) 905-2500 Facsimile

Attorney Reference: 050885/0290403

Date: May 28, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/054,968	01/25/2002	James Peter Burnie	P 0290403

CONFIRMATION NO. 8442

FORMALITIES LETTER



OC000000007524870

Pillsbury Winthrop LLP
Intellectual Property Group
1600 Tysons Boulevard
McLean, VA 22102

Date Mailed: 02/25/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)


The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patent Software, call (703) 306-2600
- For Patent Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY